

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

Application 19243 Permit 12984 License 7795

**ORDER CORRECTING THE PURPOSE OF USE
AND AMENDING THE LICENSE**

WHEREAS:

1. License 7795 was issued to Coit Ranch, Inc. and was recorded with the County Recorder of Santa Clara County on August 4, 1966 in Document 3098396, Book 7464, Page 337.
2. License 7795 was subsequently assigned to the California Department of Parks and Recreation.
3. A request to correct the purpose of use has been filed with the State Water Resources Control Board (SWRCB).
4. The SWRCB has determined that said correction will not initiate a new right nor operate to the injury of any other lawful user of water and that good and sufficient cause has been shown for said correction.
5. The license condition pertaining to the continuing authority of the SWRCB should be amended to conform to the current common law public trust doctrine as contained in Title 23, California Code of Regulations, 780(a).

NOW, THEREFORE, IT IS ORDERED THAT:

1. The purpose of use under this license be corrected to read:
Fish and Wildlife Preservation and Enhancement and Recreation (0000003)
2. The existing continuing authority condition in license be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce returnflow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water uses against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(0000012)

Dated: **APRIL 6 1994**



Edward C. Anton, Chief
Division of Water Rights

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STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 19243

PERMIT 12984

LICENSE 7795

THIS IS TO CERTIFY, That

Coit Ranch, Inc., c/o Frank R. Coit, President
2578 South Lyon Avenue
Mendota, California 93640 *over*

has made proof as of October 5, 1965,
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
Mississippi Creek in Santa Clara County

tributary to North Fork Pacheco Creek thence Pacheco Creek thence Pajaro River

for the purpose of stockwatering, fish culture and recreational uses
under Permit 12984 of the State Water Rights Board and that said right to the use of said water has been
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the
terms of the said permit; that the priority of the right herein confirmed dates from February 18, 1960,
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed seven hundred forty (740)
acre-feet per annum to be collected from about November 1 of each year to about
April 30 of the succeeding year.

Licensee's right hereunder extends only to water necessary to keep the reservoir
full by replacing water beneficially used or lost by evaporation and seepage, and to
refill if emptied for necessary maintenance or repair.

The point of diversion of such water is located:

South sixty (60) feet and east three hundred fifty (350) feet from center of
Section 34, T8S, R5E, MDB&M, being within NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 34.

A description of the lands or the place where such water is put to beneficial use is as follows:

At Murry Reservoir, within Sections 27 and 34, T8S, R5E, MDB&M, as shown on map
filed with State Water Rights Board.

Licensee shall maintain an outlet pipe of adequate capacity in his dam as near as
practicable to the bottom of the natural stream channel, or provide other means
satisfactory to the State Water Rights Board, in order that water entering the
reservoir or collected in the reservoir during and after the current storage season
may be released into the downstream channel to the extent necessary to satisfy down-
stream prior rights and/or to the extent that appropriation of said water is not
authorized under this right.

Licensee shall allow representatives of the State Water Rights Board and other parties,
as may be authorized from time to time by said Board, reasonable access to project
works to determine compliance with the terms of this license.

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

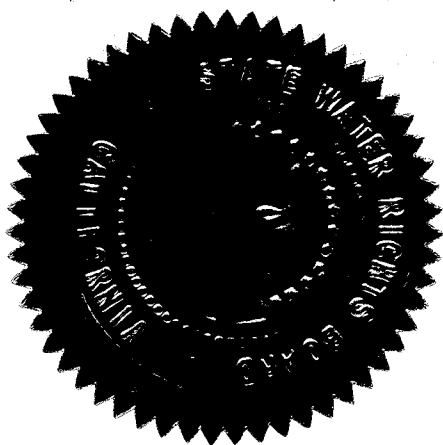
Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: AUG 3 1966



L. K. Hill
L. K. Hill
Executive Officer

*3-4-87 Asgd to Calif. Dept. of Parks & Recreation
7-23-87 Asgd. to Calif. Dept. of Parks & Recreation, London District*

LICENSE 7795

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

Coit Ranch, Inc.
ISSUED TO c/o Frank R. Coit, President

DATED AUG 3 1966

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FEB 17 '66 J.R.H.

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